

Christopher T. Sweeney
Moulton Bellingham PC
27 North 27th Street, Ste. 1900
P.O. Box 2559
Billings, MT 59103
Phone: (406) 248-7731
Email: christopher.sweeney@moultonbellingham.com

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

MAE CAMERON, individually and as representatives for a class of similar Montanans, Plaintiffs, -vs- THOMSON INTERNATIONAL, INC. Defendant.	Cause No. _____ DEFENDANT THOMSON INTERNATIONAL, INC.'S NOTICE OF REMOVAL
--	---

Defendant Thomson International, Inc. (“Thomson”) gives notice of removal of the above-captioned case to the United States District Court for the District of Montana, Billings Division pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, Fed.R.Civ.P. 81(c), and Local Federal Rule 3.3.

In support of this removal, Thomson states as follows:

1. On October 8, 2020, Plaintiff Mae Cameron (Cameron) filed an action entitled *Mae Cameron, individually and as representative for a class of similar*

Montanans v. Thomson International, Inc., Cause No. DV 20-158, Montana Sixth Judicial District, Park County.

2. Service of the Complaint was effectuated upon Thomson International on February 8, 2021, by execution of an acknowledgement of service.

3. Thomson International has not yet filed its answer or otherwise responded to the Complaint.

4. This Notice of Removal is filed “within 30 days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based, or within 30 days after the service of summons upon the defendant if such initial pleading has then been filed in court and is not required to be served on the defendant, whichever period is shorter,” pursuant to 28 U.S.C. § 1446(b)(1).

5. There are no other defendants, and therefore no other defendant’s consent to removal is required, pursuant to 28 U.S.C. § 1446(b)(2).

6. A true and correct copy of the original Complaint is attached to this Notice as Exhibit A.

7. Removal is proper pursuant to 28 U.S.C. §§ 1332 and 1441(a) since the action is one over which this Court has original jurisdiction, as it is between citizens of different states, as defined in 28 U.S.C. § 1332(a)(1), and the alleged matter in

controversy exceeds the sum of \$75,000, exclusive of interest and costs. In particular:

- a. As alleged in the complaint, Cameron is a resident of Park County, Montana. Cameron is purportedly the representative of other similarly situated Montanans.
- b. As alleged in the complaint, Thomson International is a California corporation. Thomson International's principal place of business is in California.
- c. The damages Cameron and the purported class seek are in excess of the \$75,000 jurisdictional threshold.

8. For purposes of removal, venue is proper in this district and division under 28 U.S.C. § 1441(a) because the removed action has been pending in this district and division.

9. By filing this Notice of Removal, Thomson International is not waiving any defense which may be available to it, and does not concede that Cameron has stated claims upon which relief may be granted.

10. No hearings or other proceedings have been set in this action.

11. Pursuant to 28 U.S.C. § 1446(d) and Local Federal Rule 3.3, a copy of this Notice of Removal will be filed promptly with the Clerk of Court for the Sixth Judicial District Court, Park County, State of Montana, in which this action has been

pending, and written notice thereof will be promptly provided to counsel for all adverse parties.

DATED this 11th day of February, 2021

MOULTON BELLINGHAM PC

By /s/ Christopher T. Sweeney
Christopher T. Sweeney

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing document was duly served upon the following persons and/or counsel of record by depositing the same in the United States mail, postage prepaid, this 11th day of February, 2021:

John Heenan

Joe Cook

HEENAN & COOK

1631 Zimmerman Trail

Billings, MT 59102

John@lawmontana.com

Joe@lawmontana.com

Channing J. Hartellius

P.O. Box 1629

Great Falls, MT 59403

chartellius@mtlawyers.net

By /s/ Christopher T. Sweeney

Christopher T. Sweeney